IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: '318 PATENT INFRINGEMENT LITIGATION	)	Civil Action No. 05-356-KAJ (Consolidated)

STIPULATION AND ORDER

WHEREAS plaintiffs Janssen Pharmaceutica N.V., Janssen, L.P. and Synaptech, Inc. (collectively "Janssen") and defendants Actavis Group and Purepac Pharmaceutical Co. (collectively "Purepac") have been litigating the issues of alleged infringement and validity of U.S. Patent No. 4,663,318 ("the '318 patent") predicated on Purepac's filing of an Abbreviated New Drug Application, No. 77-585, to obtain approval for the manufacture, use and sale of galantamine hydrobromide oral tablets equivalent to 4, 8 and 12 mg base, beginning in Civil Action No. 05-382-KAJ ("the Purepac Action"); and

WHEREAS the Purepac Action was consolidated with similar cases Janssen commenced against several other defendants; all of which have been consolidated in this Court under the above caption and in Civil Action No. 05-356-KAJ ("the '318 Action");

IT IS HEREBY STIPULATED AND AGREED, between Janssen and Purepac, through their undersigned attorneys, that:

1. This Purepac Action is STAYED with the exception of discovery from Purepac relating to objective considerations of non-obviousness, such as skepticism in the art, failure of others, and/or acquiescence in or licensing of the patented invention;

2. If a judgment of invalidity or unenforceability is entered in the '318 Action and Purepac, at its option, renews its efforts to obtain FDA approval of ANDA 77-585, the stay shall be lifted and such a judgment shall be entered in the Purepac Action at the same time;

3. If a judgment in favor of Janssen is entered in the '318 Action, the stay shall be lifted and such a judgment shall be entered in the Purepac Action at the same time;

4. Any judgment entered in favor of Purepac herein as a result of a judgment in the '318 Action shall be subject to appeal by Janssen in that Action;

5. Any judgment entered in favor of Janssen herein as a result of a judgment in the '318 Action may be appealed by Purepac on the record in the '318 Action;

6. In the event that judgment in favor of Janssen with respect to the issues of validity, enforceability, or infringement is not appealed by Purepac, but is vacated, modified, affirmed or reversed on appeal in the '318 Action, then such judgment in the Purepac Action shall in like manner be vacated, modified, affirmed or reversed;

7. In the event that any of the cases consolidated in the '318 Action is resolved by settlement under which a defendant is permitted to market either an authorized brand generic under Janssen's NDA or an Alzheimer's product described in such defendant's ANDA, Purepac may, at its option, renew its efforts to obtain FDA approval of ANDA 77-585, and Janssen may, at its option, reactivate this lawsuit;

8. Purepac shall provide the FDA with a copy of this Order within ten days of its entry, with a copy to Janssen's counsel in the '318 Action; and

9. Notwithstanding the foregoing, either party may move to lift the stay for good cause shown.

Dated: April 20, 2006

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SO ORDERED:

_____ Dated:

United States District Judge

CERTIFICATE OF SERVICE

The undersigned counsel certifies that, on April 20, 2006, he electronically filed the foregoing document with the Clerk of the Court using CM/ECF, which will send automatic notification of the filing to the following:

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